#### PATENT COOPERATION TREATY

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REC'D	17	MAY	2006	
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#### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

29.09.2005 16.05.2006									
PCTAIS2005.004198	EOD EUDTUED		ACTION	See Form PCT/IPEA/416					
Applicant THE LUBRIZOL CORPORATION et al.  1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.  2. This REPORT consists of a total of 4 sheets, including this cover sheet.  3. This report is also accompanied by ANNEXES, comprising:  a.   sent to the applicant and to the International Bureau) a total of sheets, as follows:   sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).   sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.  b.   (sent to the international Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).  4. This report contains indications relating to the following items:    Box No. II   Basis of the report   Box No. IV   Lack of unity of invention     Box No. IV   Lack of unity of invention   Box No. VI   Certain documents cited   Box No. VI   Certain documents cited   Box No. VII   Certain observations on the international application   Date of completion of this report   16.05.2006      Date of submission of the demand   Date of completion of this report   16.05.2006   Date of completion of this report   Date of completion of thi	DOTALOGRAPIA			e (day/month/year)					
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A. This report contains indications relating to the following items:    Box No.   Basis of the report	Deyo	na me alsciosare n	e earlier sheets, but von the international ap	which this Authority co plication as filed, as in	nsiders contain an amendment that goes idicated in item 4 of Box No. I and the				
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## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. PCT/US2005/004198

_	Bo	x No. I	Basis of the repor	t			
<del>-1.</del>	-Wit	-With regard to the language, this report is based on					
oxtimes the international application			ernational application	in the language in w	hich it was filed	i	
a translation of the international application into , which is the language of a translation furnished for the purposes of:							
		☐ pub	lication of the interna	der Rules 12.3(a) and ational application (un examination (under F	der Rule 12.4(a	a)) nd/or 55.3(a))	
2.	. With regard to the <b>elements</b> * of the international application, this report is based on <i>(replacement sheets wh. have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):</i>						replacement sheets which 14 are referred to in this
	Des	cription,	Pages				
	1-16	3		as originally filed			
Claims, Numbers							
	1-25			as originally filed			
		a seque	ence listing and/or an	ny related table(s) - se	ee Supplement	al Box Relating to	Sequence Listing
3.				ılted in the cancellatio	on of:		
			description, pages claims, Nos.				
		☐ the o	drawings, sheets/figs				
			sequence listing <i>(spe</i> table(s) related to se	<i>ecity):</i> equence listing <i>(speci</i> l	<i>fy)</i> :		
4.		This rer	oort has been establi	shed as if (some of) t	he amendment	ts appoyed to this	report and listed below
	had	not bee	n made, since they hal Box (Rule 70.2(c))	nave been considered	to go beyond	the disclosure as	filed, as indicated in the
		□ the o	description, pages	,-			
			claims, Nos. drawings, sheets/figs				
		☐ the s	sequence listing (spe	ecify):			
				quence listing <i>(speci</i> i			
	*	If ite	m 4 applies, so	me or all of the	ese sheets :	may be marked	"superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. PCT/US2005/004198

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Yes: Claims

15-25

No: Claims

1-14

Inventive step (IS)

Yes: Claims

15-25

No: Claims

1-14

Industrial applicability (IA)

Yes: Claims

1-25

No: Claims

2. Citations and explanations (Rule 70.7):

see separate sheet

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (SEPARATE SHEET)

International application No.

PCT/US2005/004198

Ad V

The subject-matter of the present application is not novel and inventive in the sense of Art 33(1)-(3) PCT.

The subject-matter of the present application relates to a process wherein a certain amount of a lipophilic amine salt of an ethylenically unsaturated water soluble polymerisable sulfonic acid monomer is polymerised in water in the presence of a water insoluble lipophilic monomer other than the lipophilic amine salt (claims 1 and 20), products according to claims 15 16 and 20 containing the outcoming polymers. It is acknowledged that according to the arguments provided in the reply letter the gist of the invention lies in the use of a lipophilic amine salt of an ethylenically unsaturated water soluble polymerisable sulfonic acid monomer. In particular lower organic amine cations, such as methyl amine, ethyl amine, etc. (first page, second paragraph of the reply letter) are not suitable to provide lipophilic faculties. As outlined in the application the lipophilic character is provided when the total carbon atoms in the amine ion have at least 6 (page 5, lines 25-26). Using ethyl amine, which is considered a lower organic amine, the total number of carbon atoms is at least 6 (3 × 2). Thus, the corresponding amine salt is also lipophilic in the sense of present claim 1.

Thus, the subject-matter of present claim 1 is anticipated by D1.